HHS NEWS

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

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Calling for stronger efforts to prevent the sale of cigarettes to minors, HHS Secretary Louis W. Sullivan, M.D., today proposed model state legislation which would ban cigarette vending machines and provide for a licensing system similar to that used to control the sale of alcoholic beverages.

Secretary Sullivan cited a report released today by the HHS Inspector General which found that while 44 states have laws prohibiting cigarette sales to minors, little effective enforcement of these laws is carried out.

"These laws are being blatantly ignored," Dr. Sullivan said in testimony before the Senate Finance Committee. "We have found it convenient to look the other way as cigarettes are openly sold to our nation's youth."

The report said that in a summary survey, only five of the 44 state law enforcement agencies could state how many violations were identified last year. "We can document only a handful of violations of the sales laws, while we estimate that almost a billion packs of cigarettes are illegally sold to our youngsters each year," Dr. Sullivan said.

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Source: https://www.industrydocuments.ucsf.edu/docs/qzmm0000

"The findings boil down to this simple and unacceptable fact: kids can easily buy cigarettes virtually anytime they want to in violation of the law," he said in his prepared testimony. "It is all too apparent that we, as parents, as educators, as health officials and legislators, still do not take the problem of smoking among our children and adolescents as seriously as we should."

Dr. Sullivan said that "the younger a person is when he or she starts to smoke, the more likely that smoking will become a life-long addiction and the more likely are smoking-related diseases. In fact, about 90 percent of adult smokers began their addiction as children or adolescents, so the conclusion is clear: these young smokers account for almost all our future smokers."

Secretary Sullivan pledged to work with states to help improve their control of tobacco sales to minors. The "Model Sale of Tobacco Products to Minors Control Act" which he proposed for states today would:

- Create a licensing system to control the sale of tobacco. A store could sell tobacco to adults only if it avoids selling to minors. Signs stating that sales to minors are illegal would be required at all points of sale.

- Rely primarily on civil penalties to avoid the time delays and costs of the court system. Place primary responsibility for investigation and enforcement in a designated state agency, such as the state health department, but allow local law enforcement and public health officials to investigate compliance.

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- o Ban the use of vending machines to dispense cigarettes. To temper economic impact, states might consider a phased approach leading to a complete ban.

"The really disheartening news is that some one million teens start smoking each year. This amounts to about 3,000 each day," Dr. Sullivan said.

"As long as a significant proportion of teens view smoking as a desirable, adult pleasure, and become addicted before they can make a mature judgment, we will never succeed in achieving a smoke-free society," he added.

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